

House File 2792 - Enrolled

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HOUSE FILE 2792

AN ACT

RELATING TO GOVERNMENT OPERATIONS AND FINANCES, INCLUDING THE FUNDING OF, OPERATION OF, AND APPROPRIATION OF MONEYS TO THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF MANAGEMENT, THE DEPARTMENT OF VETERANS AFFAIRS, AND THE STATE BOARD OF REGENTS, PROVIDING FOR PARTICIPATION IN AN INSTRUCTIONAL SUPPORT PROGRAM BY SCHOOL DISTRICTS, RELATING TO EDUCATION STANDARDS AND SERVICES BY PROVIDING FOR A STATEWIDE CORE CURRICULUM AND STANDARDS STUDY, PROVIDING FOR ADJUSTED ADDITIONAL PROPERTY TAX LEVY AID FOR SCHOOL DISTRICTS, ALLOCATING AND RESTRICTING UTILIZATION OF LOCAL OPTION SALES AND SERVICES TAX MONEYS UNDER SPECIFIED CIRCUMSTANCES, PROVIDING FOR AN EQUITY IN PROPERTY TAXATION INTERIM STUDY, MAKING AN APPROPRIATION, PROVIDING FOR AN INCREASE IN THE NUMBER OF YEARS FOR WHICH SUPPLEMENTARY WEIGHTING FOR LIMITED ENGLISH PROFICIENT STUDENTS MAY BE OBTAINED, AND PROVIDING EFFECTIVE AND APPLICABILITY DATES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

Section 1. DEPARTMENT OF EDUCATION. There is appropriated from the general fund of the state to the department of education for the designated fiscal years of the fiscal period beginning July 1, 2006, and ending June 30, 2009, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For purposes, as provided in law, of the student achievement and teacher quality program established pursuant to chapter 284:	
FY 2006=2007.....	\$104,343,894
FY 2007=2008.....	\$139,343,894
FY 2008=2009.....	\$174,343,894

Sec. 2. Section 256.11, Code Supplement 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 9. Beginning July 1, 2006, each school district shall have a qualified teacher librarian who shall be licensed by the board of educational examiners under chapter 272. The state board shall establish in rule a definition of and standards for an articulated sequential kindergarten through grade twelve media program. A school district that entered into a contract with an individual for employment as a media specialist or librarian prior to June 1, 2006, shall be considered to be in compliance with this subsection until June 30, 2011, if the individual is making annual progress toward meeting the requirements for a teacher librarian endorsement issued by the board of educational examiners under chapter 272. A school district that entered into a contract with an individual for employment as a media specialist or librarian who holds at least a master's degree in library and information studies shall be considered to be in compliance with this subsection until the individual leaves the employ of the school district.

Sec. 3. Section 256.11A, Code 2005, is amended to read as follows:

256.11A ~~GUIDANCE PROGRAM~~ TEACHER LIBRARIAN == ~~MEDIA SERVICES PROGRAM~~ == WAIVER.

~~1. Schools and school districts unable to meet the standard adopted by the state board requiring each school or school district operating a kindergarten through grade twelve program to provide an articulated sequential elementary-secondary guidance program. The board of directors of a school district may, not later than August 1, 1995 2006, for the school year beginning July 1, 1995 2006, file a written request to the department of education that the department waive the requirement for adopted by the state board pursuant to section 256.11, subsection 9, that school or the school district have a qualified teacher librarian. The procedures specified in subsection 3 apply to the request. Not later than August 1, 1996 2007, for the school year beginning July~~

3 4 1, 1996 2007, the board of directors of a school district or
3 5 the authorities in charge of a nonpublic school may request a
3 6 one-year extension of the waiver.

3 7 2. ~~Not later than August 1, 1995, for the school year~~
3 8 ~~beginning July 1, 1995, the board of directors of a school~~
3 9 ~~district, or authorities in charge of a nonpublic school, may~~
3 10 ~~file a written request with the department of education that~~
3 11 ~~the department waive the rule adopted by the state board to~~
3 12 ~~establish and operate a media services program to support the~~
3 13 ~~total curriculum for that district or school. The procedures~~
3 14 ~~specified in subsection 3 apply to the request. Not later~~
3 15 ~~than August 1, 1996, for the school year beginning July 1,~~
3 16 ~~1996, the board of directors of a school district or the~~
3 17 ~~authorities in charge of a nonpublic school may request an~~
3 18 ~~additional one-year extension of the waiver.~~

3 19 3. 2. A request for a waiver filed by the board of
3 20 directors of a school district ~~or authorities in charge of a~~
3 21 ~~nonpublic school~~ shall describe actions being taken by the
3 22 district ~~or school~~ to meet the requirement for which the
3 23 district ~~or school~~ has requested a waiver.

3 24 Sec. 4. Section 256.44, subsection 1, paragraph a, Code
3 25 Supplement 2005, is amended to read as follows:

3 26 a. If a teacher registers for national board for
3 27 professional teaching standards certification prior to June
3 28 30, 2006 2007, a one-time initial reimbursement award in the
3 29 amount of up to one-half of the registration fee paid by the
3 30 teacher for registration for certification by the national
3 31 board for professional teaching standards. The teacher shall
3 32 apply to the department of education within one year of
3 33 registration, submitting to the department any documentation
3 34 the department requires. A teacher who receives an initial
3 35 reimbursement award shall receive a one-time final
4 1 registration award in the amount of the remaining national
4 2 board registration fee paid by the teacher if the teacher
4 3 notifies the department of the teacher's certification
4 4 achievement and submits any documentation requested by the
4 5 department.

4 6 Sec. 5. Section 284.1, unnumbered paragraph 1, Code 2005,
4 7 is amended to read as follows:

4 8 A student achievement and teacher quality program is
4 9 established to promote high student achievement. The program
4 10 shall consist of the following ~~four~~ five major elements:

4 11 Sec. 6. Section 284.1, Code 2005, is amended by adding the
4 12 following new subsection:

4 13 NEW SUBSECTION. 5. Evaluation of teachers against the
4 14 Iowa teaching standards.

4 15 Sec. 7. Section 284.2, subsection 1, Code 2005, is amended
4 16 to read as follows:

4 17 1. "Beginning teacher" means an individual serving under
4 18 an initial or intern license, issued by the board of
4 19 educational examiners under chapter 272, who is assuming a
4 20 position as a ~~classroom~~ teacher. For purposes of the
4 21 beginning teacher mentoring and induction program created
4 22 pursuant to section 284.5, "beginning teacher" also includes
4 23 preschool teachers who are licensed by the board of
4 24 educational examiners under chapter 272 and are employed by a
4 25 school district or area education agency.

4 26 Sec. 8. Section 284.2, subsection 2, Code 2005, is amended
4 27 by striking the subsection.

4 28 Sec. 9. Section 284.2, subsection 8, Code 2005, is amended
4 29 to read as follows:

4 30 8. "Mentor" means an individual employed by a school
4 31 district or area education agency as a ~~classroom~~ teacher or a
4 32 retired teacher who holds a valid license issued under chapter
4 33 272. The individual must have a record of four years of
4 34 successful teaching practice, must be employed on a
4 35 nonprobationary basis, and must demonstrate professional
5 1 commitment to both the improvement of teaching and learning
5 2 and the development of beginning teachers.

5 3 Sec. 10. Section 284.2, subsection 12, Code 2005, is
5 4 amended to read as follows:

5 5 12. "Teacher" means an individual holding a practitioner's
5 6 license issued under chapter 272, who is employed in a
5 7 nonadministrative position as a teacher, teacher librarian,
5 8 ~~media specialist~~, preschool teacher, or counselor by a school
5 9 district or area education agency pursuant to a contract
5 10 issued by a board of directors under section 279.13. However,
5 11 an individual who is employed by an area education agency
5 12 shall only be considered a teacher for purposes of this
5 13 chapter if the individual directly delivers instruction to
5 14 school or school district students for fifty percent or more

5 15 of the individual's contracted time. A teacher may be
5 16 employed in both an administrative and a nonadministrative
5 17 position by a board of directors and shall be considered a
5 18 part-time teacher for the portion of time that the teacher is
5 19 employed in a nonadministrative position. "Teacher" includes
5 20 a licensed individual employed on a less than full-time basis
5 21 by a school district through a contract between the school
5 22 district and an institution of higher education with a
5 23 practitioner preparation program in which the licensed teacher
5 24 is enrolled.

5 25 Sec. 11. Section 284.4, subsection 1, paragraph e, Code
5 26 Supplement 2005, is amended to read as follows:

5 27 e. Adopt a teacher evaluation plan that, at minimum,
5 28 requires a performance review of teachers in the ~~participating~~
5 29 district at least once every three years based upon the Iowa
5 30 teaching standards and individual career development plans,
5 31 and requires administrators to complete evaluator training in
5 32 accordance with section 284.10.

5 33 Sec. 12. Section 284.5, subsections 1, 3, 4, and 7, Code
5 34 Supplement 2005, are amended to read as follows:

5 35 1. A beginning teacher mentoring and induction program is
6 1 created to promote excellence in teaching, enhance student
6 2 achievement, build a supportive environment within school
6 3 districts and area education agencies, increase the retention
6 4 of promising beginning teachers, and promote the personal and
6 5 professional well-being of ~~classroom~~ teachers.

6 6 3. Each school district and area education agency shall
6 7 provide a beginning teacher mentoring and induction program
6 8 for all ~~classroom~~ teachers who are beginning teachers, and
6 9 notwithstanding section 284.4, subsection 1, a school district
6 10 and an area education agency shall be eligible to receive
6 11 moneys under section 284.13, subsection 1, paragraph "b", for
6 12 purposes of implementing a beginning teacher mentoring and
6 13 induction program in accordance with this section.

6 14 4. Each ~~participating~~ school district and area education
6 15 agency shall develop an initial beginning teacher mentoring
6 16 and induction plan. A school district shall include its plan
6 17 in the school district's comprehensive school improvement plan
6 18 submitted pursuant to section 256.7, subsection 21. The
6 19 beginning teacher mentoring and induction plan shall, at a
6 20 minimum, provide for a two-year sequence of induction program
6 21 content and activities to support the Iowa teaching standards
6 22 and beginning teacher professional and personal needs; mentor
6 23 training that includes, at a minimum, skills of classroom
6 24 demonstration and coaching, and district expectations for
6 25 beginning teacher competence on Iowa teaching standards;
6 26 placement of mentors and beginning teachers; the process for
6 27 dissolving mentor and beginning teacher partnerships; district
6 28 organizational support for release time for mentors and
6 29 beginning teachers to plan, provide demonstration of classroom
6 30 practices, observe teaching, and provide feedback; structure
6 31 for mentor selection and assignment of mentors to beginning
6 32 teachers; a district facilitator; and program evaluation.

6 33 7. If a beginning teacher who is participating in a
6 34 mentoring and induction program leaves the employ of a
6 35 ~~participating~~ school district or area education agency prior
7 1 to completion of the program, the ~~participating~~ school
7 2 district or area education agency subsequently hiring the
7 3 beginning teacher shall credit the beginning teacher with the
7 4 time earned in the program prior to the subsequent hiring.

7 5 Sec. 13. Section 284.6, subsection 1, unnumbered paragraph
7 6 1, Code 2005, is amended to read as follows:

7 7 The department shall coordinate a statewide network of
7 8 career development for Iowa teachers. A ~~participating~~ school
7 9 district or career development provider that offers a career
7 10 development program in accordance with section 256.9,
7 11 subsection 50, shall demonstrate that the program contains the
7 12 following:

7 13 Sec. 14. Section 284.6, subsections 3 and 4, Code 2005,
7 14 are amended to read as follows:

7 15 3. A ~~participating~~ school district shall incorporate a
7 16 district career development plan into the district's
7 17 comprehensive school improvement plan submitted to the
7 18 department in accordance with section 256.7, subsection 21.
7 19 The district career development plan shall include a
7 20 description of the means by which the school district will
7 21 provide access to all teachers in the district to career
7 22 development programs or offerings that meet the requirements
7 23 of subsection 1. The plan shall align all career development
7 24 with the school district's long-range student learning goals
7 25 and the Iowa teaching standards. The plan shall indicate the

7 26 school district's approved career development provider or
7 27 providers.

7 28 4. In cooperation with the teacher's evaluator, the career
7 29 teacher employed by a ~~participating~~ school district shall
7 30 develop an individual teacher career development plan. The
7 31 evaluator shall consult with the teacher's supervisor on the
7 32 development of the individual teacher career development plan.
7 33 The purpose of the plan is to promote individual and group
7 34 career development. The individual plan shall be based, at
7 35 minimum, on the needs of the teacher, the Iowa teaching
8 1 standards, and the student achievement goals of the attendance
8 2 center and the school district as outlined in the
8 3 comprehensive school improvement plan.

8 4 Sec. 15. Section 284.7, unnumbered paragraph 1, Code
8 5 Supplement 2005, is amended to read as follows:
8 6 To promote continuous improvement in Iowa's quality
8 7 teaching workforce and to give Iowa teachers the opportunity
8 8 for career recognition that reflects the various roles
8 9 teachers play as educational leaders, an Iowa teacher career
8 10 path is established for teachers employed by ~~participating~~
8 11 school districts. A ~~participating~~ school district shall use
8 12 funding allocated under section 284.13, subsection 1,
8 13 paragraph ~~"d"~~ "h", to raise teacher salaries to meet the
8 14 requirements of this section. The Iowa teacher career path
8 15 and salary minimums are as follows:

8 16 Sec. 16. Section 284.7, subsection 1, unnumbered paragraph
8 17 1, Code Supplement 2005, is amended to read as follows:
8 18 ~~Effective July 1, 2001, the~~ The following career path
8 19 levels are established and shall be implemented in accordance
8 20 with this chapter:

8 21 Sec. 17. Section 284.7, subsection 1, paragraph a,
8 22 subparagraph (1), subparagraph subdivisions (a) and (b), Code
8 23 2005, are amended to read as follows:
8 24 (a) Has successfully completed an approved practitioner
8 25 preparation program as defined in section 272.1 or holds an
8 26 intern teacher license issued by the board of educational
8 27 examiners under chapter 272.

8 28 (b) Holds an initial or intern teacher license issued by
8 29 the board of educational examiners.

8 30 Sec. 18. Section 284.7, subsection 1, paragraph a,
8 31 subparagraph (2), Code Supplement 2005, is amended by striking
8 32 the subparagraph and inserting in lieu thereof the following:
8 33 (2) Beginning July 1, 2006, the minimum salary for a
8 34 beginning teacher shall be twenty-five thousand five hundred
8 35 dollars.

9 1 Sec. 19. Section 284.7, subsection 1, paragraph b,
9 2 subparagraph (2), Code Supplement 2005, is amended by striking
9 3 the subparagraph and inserting in lieu thereof the following:
9 4 (2) Beginning July 1, 2006, the minimum salary for a
9 5 first-year career teacher shall be twenty-six thousand five
9 6 hundred dollars and the minimum salary for all other career
9 7 teachers shall be twenty-seven thousand five hundred dollars.

9 8 Sec. 20. Section 284.7, subsection 5, Code Supplement
9 9 2005, is amended to read as follows:
9 10 5. A teacher employed in a ~~participating~~ district shall
9 11 not receive less compensation in that ~~participating~~ district
9 12 than the teacher received in the school year preceding
9 13 participation, as set forth in section 284.4 due to
9 14 implementation of this chapter. A teacher who achieves
9 15 national board for professional teaching standards
9 16 certification and meets the requirements of section 256.44
9 17 shall continue to receive the award as specified in section
9 18 256.44 in addition to the compensation set forth in this
9 19 section.

9 20 Sec. 21. Section 284.7, subsection 6, paragraphs a and b,
9 21 Code Supplement 2005, are amended to read as follows:
9 22 a. If the licensed employees of a school district or area
9 23 education agency receiving funds pursuant to section 284.13,
9 24 subsection 1, paragraph ~~"d"~~ "h" or ~~"e"~~ "i", for purposes of
9 25 this section, are organized under chapter 20 for collective
9 26 bargaining purposes, the board of directors and the certified
9 27 bargaining representative for the licensed employees shall
9 28 mutually agree upon a formula for distributing the funds among
9 29 the teachers employed by the school district or area education
9 30 agency. However, the school district must comply with the
9 31 salary minimums provided for in this section. The parties
9 32 shall follow the negotiation and bargaining procedures
9 33 specified in chapter 20 except that if the parties reach an
9 34 impasse, neither impasse procedures agreed to by the parties
9 35 nor sections 20.20 through 20.22 shall apply and the funds
10 1 shall be paid as provided in paragraph "b". Negotiations

10 2 under this section are subject to the scope of negotiations
10 3 specified in section 20.9. If a board of directors and the
10 4 certified bargaining representative for licensed employees
10 5 have not reached mutual agreement for the distribution of
10 6 funds received pursuant to section 284.13, subsection 1,
10 7 paragraph "~~d~~" "h" or "~~e~~" "i", by July 15 of the fiscal year
10 8 for which the funds are distributed, paragraph "b" of this
10 9 subsection shall apply.

10 10 b. If, once the minimum salary requirements of this
10 11 section have been met by the school district or area education
10 12 agency, and the school district or area education agency
10 13 receiving funds pursuant to section 284.13, subsection 1,
10 14 paragraph "~~d~~" "h" or "~~e~~" "i", for purposes of this section,
10 15 and the certified bargaining representative for the licensed
10 16 employees have not reached an agreement for distribution of
10 17 the funds remaining, in accordance with paragraph "a", the
10 18 board of directors shall divide the funds remaining among
10 19 full-time teachers employed by the district or area education
10 20 agency whose regular compensation is equal to or greater than
10 21 the minimum career teacher salary specified in this section.
10 22 The payment amount for teachers employed on less than a
10 23 full-time basis shall be prorated.

10 24 Sec. 22. Section 284.8, subsection 1, Code 2005, is
10 25 amended to read as follows:

10 26 1. A ~~participating~~ school district shall review a
10 27 teacher's performance at least once every three years for
10 28 purposes of assisting teachers in making continuous
10 29 improvement, documenting continued competence in the Iowa
10 30 teaching standards, identifying teachers in need of
10 31 improvement, or to determine whether the teacher's practice
10 32 meets school district expectations for career advancement in
10 33 accordance with section 284.7. The review shall include, at
10 34 minimum, classroom observation of the teacher, the teacher's
10 35 progress, and implementation of the teacher's individual
11 1 career development plan; shall include supporting
11 2 documentation from other evaluators, teachers, parents, and
11 3 students; and may include video portfolios as evidence of
11 4 teaching practices.

11 5 Sec. 23. Section 284.10, subsection 5, Code 2005, is
11 6 amended to read as follows:

11 7 5. By July 1, ~~2005~~ 2007, the director shall develop and
11 8 implement an evaluator training certification renewal program
11 9 for administrators and other practitioners who need to renew a
11 10 certificate issued pursuant to this section.

11 11 Sec. 24. Section 284.11, Code 2005, is amended by striking
11 12 the section and inserting in lieu thereof the following:

11 13 284.11 MARKET FACTOR TEACHER SALARIES.

11 14 1. The general assembly finds that Iowa school districts
11 15 need to be more competitive in recruiting and retaining
11 16 talented professionals into the teaching profession. To
11 17 ensure that school districts in all areas of the state have
11 18 the ability to attract highly qualified teachers, it is the
11 19 intent of the general assembly to encourage school districts
11 20 to establish teacher compensation opportunities that recognize
11 21 the need for geographic or other locally determined wage
11 22 differentials and provide incentives for traditionally
11 23 hard-to-staff schools and subject-area shortages. This
11 24 section provides for state assistance to allow school
11 25 districts to add a market factor to teacher salaries paid by
11 26 the school districts.

11 27 2. A school district shall be paid annually, from moneys
11 28 allocated for market factor salaries pursuant to section
11 29 284.13, subsection 1, paragraph "f", an amount of state
11 30 assistance to create market factor incentives for classroom
11 31 teachers in the school district. Market factor incentives may
11 32 include but are not limited to improving salaries due to
11 33 geographic differences, recruitment and retention needs of the
11 34 school district in such areas as hard-to-staff schools,
11 35 subject-area shortages, or improving the racial or ethnic
12 1 diversity on local teaching staffs. The school district shall
12 2 have the sole discretion to award funds received by the school
12 3 district in accordance with section 284.13, subsection 1,
12 4 paragraph "f", to classroom teachers on an annual basis. The
12 5 funds shall supplement, but not supplant, wages and salaries
12 6 paid as a result of a collective bargaining agreement reached
12 7 pursuant to chapter 20 or as a result of funds appropriated
12 8 elsewhere in this chapter, in chapter 256D, or in chapter
12 9 294A.

12 10 3. The allocations to each school district shall be made
12 11 in one payment on or about October 15 of the fiscal year for
12 12 which the appropriation is made, taking into consideration the

12 13 relative budget and cash position of the state resources.
12 14 Moneys received under this section shall not be commingled
12 15 with state aid payments made under section 257.16 to a school
12 16 district and shall be accounted for by the local school
12 17 district separately from state aid payments. Payments made to
12 18 school districts under this section are miscellaneous income
12 19 for purposes of chapter 257. A school district shall maintain
12 20 a separate listing within its budget for payments received and
12 21 expenditures made pursuant to this section. A school district
12 22 shall certify to the department of education how the school
12 23 district allocated the funds and that moneys received under
12 24 this section were used to supplement, not supplant, the salary
12 25 the school district would otherwise pay the teacher.
12 26 4. The department shall include market factor salaries
12 27 when reporting teacher salaries in the annual condition of
12 28 education report.

12 29 Sec. 25. Section 284.13, subsection 1, Code Supplement
12 30 2005, is amended to read as follows:

12 31 1. For each fiscal year in which moneys are appropriated
12 32 by the general assembly for purposes of the student
12 33 achievement and teacher quality program, the moneys shall be
12 34 allocated as follows in the following priority order:

12 35 a. For each fiscal year of the fiscal year period
13 1 beginning July 1, ~~2005~~ 2006, and ending June 30, ~~2006~~ 2009, to
13 2 the department of education, the amount of two million two
13 3 hundred fifty thousand dollars for the issuance of national
13 4 board certification awards in accordance with section 256.44.
13 5 Of the amount allocated under this paragraph, up to two
13 6 hundred fifty thousand dollars may be used to support the
13 7 implementation of a national board certification support
13 8 program, and not less than eighty-five thousand dollars shall
13 9 be used to administer the ambassador to education position in
13 10 accordance with section 256.45.

13 11 b. For the fiscal year beginning July 1, ~~2005~~ 2006, and
13 12 succeeding fiscal years, an amount up to four million ~~two~~ six
13 13 hundred fifty thousand dollars for first-year and second-year
13 14 beginning teachers, to the department of education for
13 15 distribution to school districts and area education agencies
13 16 for purposes of the beginning teacher mentoring and induction
13 17 programs. A school district or area education agency shall
13 18 receive one thousand three hundred dollars per beginning
13 19 teacher participating in the program. If the funds
13 20 appropriated for the program are insufficient to pay mentors,
13 21 and school districts, and area education agencies as provided
13 22 in this paragraph, the department shall prorate the amount
13 23 distributed to school districts and area education agencies
13 24 based upon the amount appropriated. Moneys received by a
13 25 school district or area education agency pursuant to this
13 26 paragraph shall be expended to provide each mentor with an
13 27 award of five hundred dollars per semester, at a minimum, for
13 28 participation in the school district's or area education
13 29 agency's beginning teacher mentoring and induction program; to
13 30 implement the plan; and to pay any applicable costs of the
13 31 employer's share of contributions to federal social security
13 32 and the Iowa public employees' retirement system or a pension
13 33 and annuity retirement system established under chapter 294,
13 34 for such amounts paid by the district or area education
13 35 agency.

14 1 c. For each fiscal year of the fiscal year period
14 2 beginning July 1, ~~2005~~ 2006, and ending June 30, ~~2006~~ 2009, up
14 3 to ~~four~~ six hundred ~~eighty-five~~ ninety-five thousand dollars
14 4 to the department of education for purposes of implementing
14 5 the career development program requirements of section 284.6,
14 6 the review panel requirements of section 284.9, and the
14 7 evaluator training program in section 284.10. ~~From the moneys~~
14 8 ~~allocated to the department pursuant to this paragraph, not~~
14 9 ~~less than ten thousand dollars shall be distributed to the~~
14 10 ~~board of educational examiners for purposes of convening an~~
14 11 ~~educator licensing review working group. From the moneys~~
14 12 ~~allocated to the department pursuant to this paragraph, not~~
14 13 ~~less than eighty-five thousand dollars shall be used to~~
14 14 ~~administer the ambassador to education position in accordance~~
14 15 ~~with section 256.45. A portion of the funds allocated to the~~
14 16 ~~department for purposes of this paragraph may be used by the~~
14 17 ~~department for administrative purposes. Notwithstanding~~
14 18 ~~section 8.33, moneys allocated for purposes of this paragraph~~
14 19 ~~prior to July 1, 2004, which remain unobligated or unexpended~~
14 20 ~~at the end of the fiscal year for which the moneys were~~
14 21 ~~appropriated, shall remain available for expenditure for the~~
14 22 ~~purposes for which they were allocated, for the fiscal year~~
14 23 ~~beginning July 1, 2004, and ending June 30, 2005.~~

~~14 24 d. For each fiscal year in which funds are appropriated~~
~~14 25 for purposes of this chapter, the moneys remaining after~~
~~14 26 distribution as provided in paragraphs "a" through "c" and "e"~~
~~14 27 shall be allocated to school districts for salaries and career~~
~~14 28 development in accordance with the following formula:~~
~~14 29 (1) Fifty percent of the allocation shall be in the~~
~~14 30 proportion that the basic enrollment of a school district~~
~~14 31 bears to the sum of the basic enrollments of all school~~
~~14 32 districts in the state for the budget year.~~
~~14 33 (2) Fifty percent of the allocation shall be based upon~~
~~14 34 the proportion that the number of full-time equivalent~~
~~14 35 teachers employed by a school district bears to the sum of the~~
~~15 1 number of full-time equivalent teachers who are employed by~~
~~15 2 all school districts in the state for the base year.~~
~~15 3 e. From moneys available under paragraph "d", the~~
~~15 4 department shall allocate to area education agencies an amount~~
~~15 5 per classroom teacher employed by an area education agency~~
~~15 6 that is approximately equivalent to the average per teacher~~
~~15 7 amount allocated to the districts. The average per teacher~~
~~15 8 amount shall be calculated by dividing the total number of~~
~~15 9 classroom teachers employed by school districts and the~~
~~15 10 classroom teachers employed by area education agencies into~~
~~15 11 the total amount of moneys available under paragraph "d".~~
~~15 12 f. d. For the fiscal year beginning July 1, 2005 2006,~~
~~15 13 and ending June 30, 2006 2007, up to ten million dollars to~~
~~15 14 the department of education for use by school districts to add~~
~~15 15 one additional teacher contract day to the school calendar.~~
~~15 16 The department shall distribute funds allocated for the~~
~~15 17 purpose of this paragraph based on the average per diem~~
~~15 18 contract salary for each district as reported to the~~
~~15 19 department for the school year beginning July 1, 2004 2005,~~
~~15 20 multiplied by the total number of full-time equivalent~~
~~15 21 teachers in the base year. The department shall adjust each~~
~~15 22 district's average per diem salary by the allowable growth~~
~~15 23 rate established under section 257.8 for the fiscal year~~
~~15 24 beginning July 1, 2005 2006. The contract salary amount shall~~
~~15 25 be the amount paid for their regular responsibilities but~~
~~15 26 shall not include pay for extracurricular activities. School~~
~~15 27 districts shall distribute funds to teachers based on~~
~~15 28 individual teacher per diem amounts. These funds shall not~~
~~15 29 supplant existing funding for professional development~~
~~15 30 activities. Notwithstanding any provision to the contrary,~~
~~15 31 moneys received by a school district under this paragraph~~
~~15 32 shall not revert but shall remain available for the same~~
~~15 33 purpose in the succeeding fiscal year. A school district~~
~~15 34 shall submit a report to the department in a manner determined~~
~~15 35 by the department describing its use of the funds received~~
~~16 1 under this paragraph. The department shall submit a report on~~
~~16 2 school district use of the moneys distributed pursuant to this~~
~~16 3 paragraph to the chairpersons and ranking members of the house~~
~~16 4 and senate standing committees on education, the joint~~
~~16 5 appropriations subcommittee on education, and the legislative~~
~~16 6 services agency not later than January 15, 2006 2007.~~
~~16 7 g. e. For the fiscal year beginning July 1, 2005 2006,~~
~~16 8 and ending June 30, 2006 2007, up to six million six hundred~~
~~16 9 twenty-five thousand dollars to the department of education~~
~~16 10 for use by school districts for either salaries or~~
~~16 11 professional development, or both, as determined by the school~~
~~16 12 district. Funds received by a school district for purposes of~~
~~16 13 this paragraph shall be distributed using the formula provided~~
~~16 14 in paragraph "d" "h" and are subject to the provisions of~~
~~16 15 section 284.7, subsection 6. A school district shall submit a~~
~~16 16 report to the department in a manner determined by the~~
~~16 17 department describing its use of the funds received under this~~
~~16 18 paragraph. The department shall submit a report on school~~
~~16 19 district use of the funds distributed pursuant to this~~
~~16 20 paragraph to the chairpersons and ranking members of the house~~
~~16 21 and senate standing committees on education, the joint~~
~~16 22 appropriations subcommittee on education, and the legislative~~
~~16 23 services agency not later than January 15, 2006 annually.~~
~~16 24 f. For purposes of market factor teacher salaries pursuant~~
~~16 25 to section 284.11, the following amounts are allocated to the~~
~~16 26 department for the following fiscal years:~~
~~16 27 (1) For the fiscal year beginning July 1, 2006, and ending~~
~~16 28 June 30, 2007, the sum of three million three hundred ninety~~
~~16 29 thousand dollars.~~
~~16 30 (2) For the fiscal year beginning July 1, 2007, and ending~~
~~16 31 June 30, 2008, the sum of seven million five hundred thousand~~
~~16 32 dollars.~~
~~16 33 (3) For the fiscal year beginning July 1, 2008, and ending~~
~~16 34 June 30, 2009, the sum of ten million dollars.~~

16 35 The department shall use the formula set forth in paragraph
17 1 "h" to distribute moneys allocated under this paragraph.
17 2 g. For purposes of the pay-for-performance program
17 3 established pursuant to section 284.14, the following amounts
17 4 are allocated to the department of management for the
17 5 following fiscal years:
17 6 (1) For the fiscal year beginning July 1, 2006, and ending
17 7 June 30, 2007, the sum of one million dollars. Of the amount
17 8 allocated under this subparagraph, an amount equal to one
17 9 hundred fifty thousand dollars shall be distributed to the
17 10 institute for tomorrow's workforce created pursuant to section
17 11 7K.1 for the activities of the institute.
17 12 (2) For the fiscal year beginning July 1, 2007, and ending
17 13 June 30, 2008, the sum of two million five hundred thousand
17 14 dollars.
17 15 (3) For the fiscal year beginning July 1, 2008, and ending
17 16 June 30, 2009, the sum of five million dollars.
17 17 h. For each fiscal year in which funds are appropriated
17 18 for purposes of this chapter, the moneys remaining after
17 19 distribution as provided in paragraphs "a" through "g" shall
17 20 be allocated to school districts for salaries and career
17 21 development in accordance with the following formula:
17 22 (1) Fifty percent of the allocation shall be in the
17 23 proportion that the basic enrollment of a school district
17 24 bears to the sum of the basic enrollments of all school
17 25 districts in the state for the budget year.
17 26 (2) Fifty percent of the allocation shall be based upon
17 27 the proportion that the number of full-time equivalent
17 28 teachers employed by a school district bears to the sum of the
17 29 number of full-time equivalent teachers who are employed by
17 30 all school districts in the state for the base year.
17 31 i. From moneys available under paragraph "h", the
17 32 department shall allocate to area education agencies an amount
17 33 per classroom teacher employed by an area education agency
17 34 that is approximately equivalent to the average per teacher
17 35 amount allocated to the districts. The average per teacher
18 1 amount shall be calculated by dividing the total number of
18 2 classroom teachers employed by school districts and the
18 3 classroom teachers employed by area education agencies into
18 4 the total amount of moneys available under paragraph "h".
18 5 h. j. Notwithstanding section 8.33, any moneys remaining
18 6 unencumbered or unobligated from the moneys allocated for
18 7 purposes of paragraph "a", or "b", or "c" shall not revert but
18 8 shall remain available in the succeeding fiscal year for
18 9 expenditure for the purposes designated. The provisions of
18 10 section 8.39 shall not apply to the funds appropriated
18 11 pursuant to this subsection.
18 12 Sec. 26. Section 284.13, subsection 2, Code Supplement
18 13 2005, is amended to read as follows:
18 14 2. A school district that is unable to meet the provisions
18 15 of section 284.7, subsection 1, with funds allocated pursuant
18 16 to subsection 1, paragraph "d" "h", may request a waiver from
18 17 the department to use funds appropriated under chapter 256D to
18 18 meet the provisions of section 284.7, subsection 1, if the
18 19 difference between the funds allocated to the school district
18 20 pursuant to subsection 1, paragraph "d" "h", and the amount
18 21 required to comply with section 284.7, subsection 1, is not
18 22 less than ten thousand dollars. The department shall consider
18 23 the average class size of the school district, the school
18 24 district's actual unspent balance from the preceding year, and
18 25 the school district's current financial position.
18 26 Sec. 27. NEW SECTION. 284.14 PAY=FOR=PERFORMANCE
18 27 PROGRAM.
18 28 1. COMMISSION.
18 29 a. A pay-for-performance commission is established to
18 30 design and implement a pay-for-performance program and provide
18 31 a study relating to teacher and staff compensation containing
18 32 a pay-for-performance component. The study shall measure the
18 33 cost and effectiveness in raising student achievement of a
18 34 compensation system that provides financial incentives based
18 35 on student performance. The commission is part of the
19 1 executive branch of government. The legislative services
19 2 agency shall, upon request, provide technical and
19 3 administrative support to the commission.
19 4 The commission shall select its own chairperson and
19 5 establish its own rules of procedure. A majority of the
19 6 voting members of the commission shall constitute a quorum.
19 7 b. Any vacancy on the commission shall be filled by the
19 8 appropriate appointing authority. Members shall receive a per
19 9 diem. Membership of the commission shall be as follows:
19 10 (1) One classroom teacher selected jointly by the Iowa

19 11 state educational association and the professional educators
19 12 of Iowa.

19 13 (2) One principal selected by the school administrators of
19 14 Iowa.

19 15 (3) One private sector representative selected by the Iowa
19 16 business council. This representative should have all of the
19 17 following qualifications:

19 18 (a) Possess a degree in education and have teaching
19 19 experience.

19 20 (b) Be employed in a business employing at least two
19 21 hundred persons that has an employee performance pay program.

19 22 (c) Have served as a school board member.

19 23 (4) One industrial engineer appointed by the American
19 24 society of engineers. This individual should have technical
19 25 knowledge and experience in the design and implementation of
19 26 individual and group pay-for-performance incentive programs.

19 27 (5) One small business private sector employer, who
19 28 employs at least fifty people in a targeted industry, selected
19 29 by the governor, who has general management experience and top
19 30 line and bottom line responsibilities.

19 31 (6) One professional economist with a doctoral degree with
19 32 experience and knowledge in student achievement using test
19 33 scores to measure student progress, selected by the voting
19 34 members of the commission, after they convene.

19 35 (7) One representative from the department of education
20 1 who shall serve as a nonvoting member.

20 2 (8) Two members of the senate and two members of the house
20 3 of representatives who shall serve as nonvoting members for
20 4 two-year terms coinciding with the legislative biennium.

20 5 c. Voting members shall serve three-year terms except for
20 6 the terms of the initial members, which shall be staggered so
20 7 that two members' terms expire each calendar year. A vacancy
20 8 in the membership of the board shall be filled by appointment
20 9 by the initial appointing authority.

20 10 d. The pay-for-performance commission is not subject to
20 11 the provisions of section 69.16 or 69.16A.

20 12 2. DEVELOPMENT OF PROGRAM. Beginning July 1, 2006, the
20 13 commission shall gather sufficient information to identify a
20 14 pay-for-performance program based upon student achievement
20 15 gains and global content standards where student achievement
20 16 gains cannot be easily measured. The commission shall review
20 17 pay-for-performance programs in both the public and private
20 18 sector. Based on this information, the commission shall
20 19 design a program utilizing both individual and group incentive
20 20 components. At least half of any available funding identified
20 21 by the commission shall be designated for individual
20 22 incentives.

20 23 a. Commencing with the school year beginning July 1, 2007,
20 24 the commission shall initiate demonstration projects, in
20 25 selected kindergarten through grade twelve schools, to test
20 26 the effectiveness of the pay-for-performance program. The
20 27 purpose of the demonstration projects is to identify the
20 28 strengths and weaknesses of the pay-for-performance program
20 29 design, evaluate cost effectiveness, analyze student
20 30 achievement gains, test assessments, allow thorough review of
20 31 data, and make necessary adjustments before implementing the
20 32 pay-for-performance program statewide.

20 33 b. The commission shall select ten school districts as
20 34 demonstration projects. To the extent practicable,
20 35 participants shall represent geographically distinct rural,
21 1 urban, and suburban areas of the state. Participants shall
21 2 provide reports or other information as required by the
21 3 commission.

21 4 c. Commencing with the school year beginning July 1, 2008,
21 5 the commission shall select twenty additional school districts
21 6 as demonstration projects.

21 7 3. REPORTS AND FINAL STUDY. Based on the information
21 8 generated by the demonstration projects, the commission shall
21 9 prepare an interim report by January 15, 2007, followed by
21 10 interim progress reports annually, followed by a final study
21 11 report analyzing the effectiveness of pay-for-performance in
21 12 raising student achievement levels. The final study report
21 13 shall be completed no later than six months after the
21 14 completion of the demonstration projects. The commission
21 15 shall provide copies of the final study report to the
21 16 department of education and to the chairpersons and ranking
21 17 members of the senate and house standing committees on
21 18 education.

21 19 4. STATEWIDE IMPLEMENTATION == REMEDIATION. The general
21 20 assembly shall consider implementing the pay-for-performance
21 21 program statewide for the 2009=2010 school year,

21 22 notwithstanding the provisions of chapters 20 and 279 to the
21 23 contrary.

21 24 a. The commission, in consultation with the department of
21 25 education, shall develop a system which will provide for
21 26 valid, reliable tracking and measuring of enhanced student
21 27 achievement under the pay-for-performance program. Where
21 28 possible, student performance shall be based solely on student
21 29 achievement, objectively measured by academic gains made by
21 30 individual students using valid, reliable, and nonsubjective
21 31 assessment tools such as the dynamic indicators of basic early
21 32 literacy skills (DIBELS), the Iowa test of basic skills, or
21 33 the Iowa test of educational development.

21 34 b. The commission shall develop a pay-for-performance pay
21 35 plan for teacher compensation. The plan shall establish
22 1 salary adjustments which vary directly with the enhancement of
22 2 student achievement. The plan shall include teacher
22 3 performance standards which identify the following five levels
22 4 of teacher performance with standards to measure each level:

22 5 (1) Superior performance.
22 6 (2) Exceeds expectations.
22 7 (3) Satisfactory.
22 8 (4) Emerging.
22 9 (5) In need of remediation.

22 10 No individual salary adjustments under an individual
22 11 incentive component of a pay-for-performance program shall be
22 12 provided to teachers whose students do not demonstrate at
22 13 least a satisfactory level of performance.

22 14 c. The department of education, in conjunction with the
22 15 commission, shall create a teacher remediation program to
22 16 provide counseling and assistance for teachers whose students
22 17 do not demonstrate adequate increases in achievement.

22 18 5. STAFFING. The legislative services agency may annually
22 19 use up to fifty thousand dollars of the moneys appropriated
22 20 for the pay-for-performance program to provide technical and
22 21 administrative assistance to the commission and monitoring of
22 22 the program. The commission may annually use up to two
22 23 hundred thousand dollars of the moneys appropriated for
22 24 consultation services in coordination with the legislative
22 25 services agency.

22 26 6. IOWA EXCELLENCE FUND. An Iowa excellence fund is
22 27 created within the office of the treasurer of state, to be
22 28 administered by the commission. Notwithstanding section 8.33,
22 29 moneys in the fund that remain unencumbered or unobligated at
22 30 the close of the fiscal year shall not revert but shall remain
22 31 in the fund.

22 32 The commission may provide grants from this fund, according
22 33 to criteria developed by the commission, for implementation of
22 34 the pay-for-performance program.

22 35 Sec. 28. NEW SECTION. 284A.1 DEFINITIONS.

23 1 As used in this chapter, unless the context otherwise
23 2 requires:

23 3 1. "Administrator" means an individual holding a
23 4 professional administrator license issued under chapter 272,
23 5 who is employed in a school district administrative position
23 6 by a school district or area education agency pursuant to a
23 7 contract issued by a board of directors under section 279.23.
23 8 An administrator may be employed in both an administrative and
23 9 a nonadministrative position by a board of directors and shall
23 10 be considered a part-time administrator for the portion of
23 11 time that the individual is employed in an administrative
23 12 position.

23 13 2. "Beginning administrator" means an individual serving
23 14 under an initial administrator license, issued by the board of
23 15 educational examiners under chapter 272, who is assuming a
23 16 position as a school district administrator for the first
23 17 time.

23 18 3. "Department" means the department of education.

23 19 4. "Mentor" means an individual employed by a school
23 20 district or area education agency as a school district
23 21 administrator or a retired administrator who holds a valid
23 22 license issued under chapter 272. The individual must have a
23 23 record of four years of successful administrative experience
23 24 and must demonstrate professional commitment to both the
23 25 improvement of teaching and learning and the development of
23 26 beginning administrators.

23 27 5. "School board" means the board of directors of a school
23 28 district or a collaboration of boards of directors of school
23 29 districts.

23 30 6. "State board" means the state board of education.

23 31 Sec. 29. NEW SECTION. 284A.2 BEGINNING ADMINISTRATOR
23 32 MENTORING AND INDUCTION PROGRAM.

23 33 1. A beginning administrator mentoring and induction
23 34 program is created to promote excellence in school leadership,
23 35 improve classroom instruction, enhance student achievement,
24 1 build a supportive environment within school districts,
24 2 increase the retention of promising school leaders, and
24 3 promote the personal and professional well-being of
24 4 administrators.

24 5 2. The department, in collaboration with other educational
24 6 partners, shall develop a model beginning administrator
24 7 mentoring and induction program for all beginning
24 8 administrators.

24 9 3. Each school board shall establish an administrator
24 10 mentoring program for all beginning administrators. The
24 11 school board may adopt the model program developed by the
24 12 department pursuant to subsection 2. Each school board's
24 13 beginning administrator mentoring and induction program shall,
24 14 at a minimum, provide for one year of programming. Each
24 15 school board shall develop an initial beginning administrator
24 16 mentoring and induction plan. The plan shall describe the
24 17 mentor selection process, describe supports for beginning
24 18 administrators, describe program organizational and
24 19 collaborative structures, provide a budget, provide for
24 20 sustainability of the program, and provide for program
24 21 evaluation. The school board employing an administrator shall
24 22 determine the conditions and requirements of an administrator
24 23 participating in a program established pursuant to this
24 24 section. A school board shall include its plan in the school
24 25 district's comprehensive school improvement plan submitted
24 26 pursuant to section 256.7, subsection 21.

24 27 4. By the end of a beginning administrator's second year
24 28 of employment, the beginning administrator may be
24 29 comprehensively evaluated at the discretion of the school
24 30 board.

24 31 Sec. 30. NEW SECTION. 284A.3 PROGRAM APPROPRIATION.

24 32 1. For the fiscal year beginning July 1, 2006, and each
24 33 succeeding fiscal year, there is appropriated from the general
24 34 fund of the state to the department of education the sum of
24 35 two hundred fifty thousand dollars for purposes of

25 1 administering the beginning administrator mentoring and
25 2 induction program established pursuant to this chapter.

25 3 2. A school district shall receive one thousand five
25 4 hundred dollars per beginning administrator participating in
25 5 the program. If the funds appropriated for the program are
25 6 insufficient to pay mentors and school districts as provided
25 7 in this subsection, the department shall prorate the amount
25 8 distributed to school districts based upon the amount
25 9 appropriated. Moneys received by a school district pursuant
25 10 to this subsection shall be expended to provide each mentor
25 11 with an award of five hundred dollars per semester, at a
25 12 minimum, for participation in the school district's beginning
25 13 administrator mentoring and induction program; to implement
25 14 the plan; and to pay any applicable costs of the employer's
25 15 share of contributions to federal social security and the Iowa
25 16 public employees' retirement system or a pension and annuity
25 17 retirement system established under chapter 294, for such
25 18 amounts paid by the district.

25 19 3. Notwithstanding section 8.33, any moneys remaining
25 20 unobligated or unexpended from the moneys appropriated under
25 21 subsection 1 shall not revert, but shall remain available in
25 22 the succeeding fiscal year for expenditure for the purposes
25 23 designated. The provisions of section 8.39 shall not apply to
25 24 the funds appropriated pursuant to this section.

25 25 Sec. 31. INSTITUTE FOR TOMORROW'S WORKFORCE == IOWA
25 26 EDUCATION EFFICIENCY AND IMPROVEMENT PLAN. The institute for
25 27 tomorrow's workforce shall develop an Iowa education
25 28 efficiency and improvement plan, the goal of which is to
25 29 establish a new educational delivery system. In developing
25 30 the plan, the institute shall address issues concerning the
25 31 alignment of school districts, area education agencies, public
25 32 postsecondary institutions, and the department of education,
25 33 focusing on specific quantitative and qualitative indicators,
25 34 management, governance, services, boundaries, infrastructure
25 35 and efficiencies, and administrative efficiencies. The
26 1 institute shall submit the plan and any recommendations for
26 2 changes to state law and administrative rules to the general
26 3 assembly, the governor, and the department of education by
26 4 January 15, 2007.

26 5 Sec. 32. STATE MANDATE FUNDING SPECIFIED. In accordance
26 6 with section 25B.2, subsection 3, the state cost of requiring
26 7 compliance with any state mandate included in this Act shall
26 8 be paid by a school district from state school foundation aid

26 9 received by the school district under section 257.16. This
26 10 specification of the payment of the state cost shall be deemed
26 11 to meet all the state funding-related requirements of section
26 12 25B.2, subsection 3, and no additional state funding shall be
26 13 necessary for the full implementation of this Act by and
26 14 enforcement of this Act against all affected school districts.

26 15 DIVISION II
26 16 EDUCATION POLICY
26 17 DEPARTMENT OF EDUCATION

26 18 Sec. 33. There is appropriated from the general fund of
26 19 the state to the department of education for the fiscal year
26 20 beginning July 1, 2006, and ending June 30, 2007, the
26 21 following amount, or so much thereof as is necessary, to be
26 22 used for the purpose designated:

26 23 To assist school districts with the implementation of
26 24 statewide graduation requirements as provided in division III
26 25 of this Act:

26 26 \$ 130,000

26 27 DIVISION III
26 28 MISCELLANEOUS EDUCATION PROVISIONS

26 29 Sec. 34. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF
26 30 DECEASED VETERANS. There is appropriated from the general
26 31 fund of the state to the department of veterans affairs for
26 32 the fiscal year beginning July 1, 2006, and ending June 30,
26 33 2007, the following amount, or so much thereof as is
26 34 necessary, for the purpose designated:

26 35 For educational assistance pursuant to section 35.9:

27 1 \$ 27,000

27 2 Notwithstanding section 8.33, moneys appropriated under
27 3 this section that remain unexpended at the close of the fiscal
27 4 year shall not revert to any fund but shall remain available
27 5 for the purpose designated until the close of the succeeding
27 6 fiscal year.

27 7 Sec. 35. Section 35.8, Code Supplement 2005, is amended to
27 8 read as follows:

27 9 35.8 WAR ORPHANS EDUCATIONAL ~~AID~~ ASSISTANCE FUND.

27 10 A war orphans educational ~~aid~~ assistance fund is created as
27 11 a separate fund in the state treasury under the control of the
27 12 department of veterans affairs. Any money appropriated for
27 13 the purpose of ~~aiding~~ assisting in the education of orphaned
27 14 children of veterans, as defined in section 35.1, or the
27 15 education of a child as provided in section 35.9, subsection
27 16 2, shall be deposited in the war orphans educational ~~aid~~
27 17 assistance fund.

27 18 Sec. 36. Section 35.9, Code Supplement 2005, is amended to
27 19 read as follows:

27 20 35.9 EXPENDITURE BY COMMISSION.

27 21 1. a. The department of ~~veterans affairs~~ may expend not
27 22 more than six hundred dollars per year for any one child who
27 23 has lived in the state of Iowa for two years preceding
27 24 application for ~~aid~~ state educational assistance, and who is
27 25 the child of a person who died prior to September 11, 2001,
27 26 during active federal military service while serving in the
27 27 armed forces or during active federal military service in the
27 28 Iowa national guard or other military component of the United
27 29 States, to defray the expenses of tuition, matriculation,
27 30 laboratory and similar fees, books and supplies, board,
27 31 lodging, and any other reasonably necessary expense for the
27 32 child or children incident to attendance in this state at an
27 33 educational or training institution of college grade, or in a
27 34 business or vocational training school with standards approved
27 35 by the department of veterans affairs.

28 1 b. A child eligible to receive funds under this section
28 2 shall not receive more than three thousand dollars under this
28 3 ~~section subsection~~ during the child's lifetime.

28 4 2. Upon application by a child who has lived in the state
28 5 of Iowa for two years preceding application for state
28 6 educational assistance, and who is the child of a person who
28 7 died on or after September 11, 2001, during active federal
28 8 military service while serving in the armed forces or during
28 9 active federal military service in the Iowa national guard or
28 10 other military component of the United States, the department
28 11 shall provide state educational assistance in the amount of
28 12 five thousand five hundred dollars per year or the amount of
28 13 the child's established financial need, whichever is less, to
28 14 defray the expenses of tuition, matriculation, laboratory and
28 15 similar fees, books and supplies, board, lodging, and any
28 16 other reasonably necessary expense for the child or children
28 17 incident to attendance in this state at a community college
28 18 established under chapter 260C or at an institution of higher
28 19 education governed by the state board of regents. A child

~~28 20 eligible to receive state educational assistance under this~~
~~28 21 subsection shall not receive more than twenty-seven thousand~~
~~28 22 five hundred dollars under this subsection during the child's~~
~~28 23 lifetime. The college student aid commission may, if~~
~~28 24 requested, assist the department in administering this~~
~~28 25 subsection.~~

28 26 Sec. 37. Section 35.10, Code Supplement 2005, is amended
28 27 to read as follows:
28 28 35.10 ELIGIBILITY AND PAYMENT OF ~~AID~~ ASSISTANCE.
28 29 Eligibility for ~~aid~~ assistance shall be determined upon
28 30 application to the department of veterans affairs, whose
28 31 decision is final. The eligibility of eligible applicants
28 32 shall be certified by the department of veterans affairs to
28 33 the director of the department of administrative services, and
28 34 all amounts that are or become due to an individual or a
28 35 training institution under this chapter shall be paid to the
29 1 individual or institution by the director of the department of
29 2 administrative services upon receipt by the director of
29 3 certification by the president or governing board of the
29 4 educational or training institution as to accuracy of charges
29 5 made, and as to the attendance of the individual at the
29 6 educational or training institution. The department of
29 7 veterans affairs may pay over the annual sum of ~~four hundred~~
~~29 8 dollars set forth in section 35.9~~ to the educational or
29 9 training institution in a lump sum, or in installments as the
29 10 circumstances warrant, upon receiving from the institution
29 11 such written undertaking as the department may require to
29 12 assure the use of funds for the child for the authorized
29 13 purposes and for no other purpose. A person is not eligible
29 14 for the benefits of this chapter until the person has
29 15 graduated from a high school or educational institution
29 16 offering a course of training equivalent to high school
29 17 training.

29 18 Sec. 38. Section 257.4, subsection 1, Code 2005, is
29 19 amended to read as follows:

29 20 1. COMPUTATION OF TAX.

29 21 a. A school district shall cause an additional property
29 22 tax to be levied each year. The rate of the additional
29 23 property tax levy in a school district shall be determined by
29 24 the department of management and shall be calculated to raise
29 25 the difference between the combined district cost for the
29 26 budget year and the sum of the products of the regular program
29 27 foundation base per pupil times the weighted enrollment in the
29 28 district and the special education support services foundation
29 29 base per pupil times the special education support services
29 30 weighted enrollment in the district.

29 31 b. For the budget year beginning July 1, 2006, and
29 32 succeeding budget years, the department of management shall
29 33 determine an adjusted additional property tax levy and a
29 34 statewide maximum adjusted additional property tax levy rate.
29 35 For purposes of this paragraph, the adjusted additional
30 1 property tax levy shall be that portion of the additional
30 2 property tax levy corresponding to the state cost per pupil
30 3 multiplied by a school district's weighted enrollment, and
30 4 then multiplied by one hundred percent less the regular
30 5 program foundation base per pupil percentage pursuant to
30 6 section 257.1. The district shall receive adjusted additional
30 7 property tax levy aid in an amount equal to the difference
30 8 between the adjusted additional property tax levy rate and the
30 9 statewide maximum adjusted additional property tax levy rate,
30 10 as applied per thousand dollars of assessed valuation on all
30 11 taxable property in the district. The statewide maximum
30 12 adjusted additional property tax levy rate shall be annually
30 13 determined by the department taking into account amounts
30 14 allocated pursuant to section 257.15, subsection 4.

30 15 Sec. 39. Section 257.15, Code 2005, is amended by adding
30 16 the following new subsection:

30 17 NEW SUBSECTION. 4. The department of management shall
30 18 allocate from amounts appropriated pursuant to section 257.16,
30 19 subsection 1, for the purpose of calculating the statewide
30 20 maximum adjusted additional property tax levy rate and
30 21 providing adjusted additional property tax levy aid as
30 22 provided in section 257.4, subsection 1, paragraph "b", an
30 23 amount not to exceed the following:

30 24 a. For the budget year beginning July 1, 2006, six million
30 25 dollars.

30 26 b. For the budget year beginning July 1, 2007, twelve
30 27 million dollars.

30 28 c. For the budget year beginning July 1, 2008, eighteen
30 29 million dollars.

30 30 d. For the budget year beginning July 1, 2009, and

30 31 succeeding budget years, twenty=four million dollars.
30 32 Sec. 40. Section 257.16, subsection 1, Code 2005, is
30 33 amended to read as follows:
30 34 1. There is appropriated each year from the general fund
30 35 of the state an amount necessary to pay the foundation aid,
31 1 ~~and~~ supplementary aid under section 257.4, subsection 2, ~~and~~
31 2 adjusted additional property tax levy aid under section
31 3 257.15, subsection 4.
31 4 Sec. 41. Section 257.31, subsection 5, paragraph j, Code
31 5 2005, is amended to read as follows:
31 6 j. Unusual need to continue providing a program or other
31 7 special assistance to non-English speaking pupils after the
31 8 expiration of the ~~three-year~~ four-year period specified in
31 9 section 280.4.
31 10 Sec. 42. Section 261.1, subsection 5, Code 2005, is
31 11 amended to read as follows:
31 12 5. ~~Eight~~ Nine additional members to be appointed by the
31 13 governor. One of the members shall be selected to represent
31 14 private colleges, private universities and private junior
31 15 colleges located in the state of Iowa. When appointing this
31 16 member, the governor shall give careful consideration to any
31 17 person or persons nominated or recommended by any organization
31 18 or association of some or all private colleges, private
31 19 universities and private junior colleges located in the state
31 20 of Iowa. One of the members shall be selected to represent
31 21 institutions located in the state of Iowa whose income is not
31 22 exempt from taxation under section 501(c) of the Internal
31 23 Revenue Code. One of the members shall be selected to
31 24 represent community colleges located in the state of Iowa.
31 25 When appointing this member, the governor shall give careful
31 26 consideration to any person or persons nominated or
31 27 recommended by any organization or association of Iowa
31 28 community colleges. One member shall be enrolled as a student
31 29 at a board of regents institution, community college, or
31 30 accredited private institution. One member shall be a
31 31 representative of a lending institution located in this state.
31 32 One member shall be a representative of the Iowa student loan
31 33 liquidity corporation. The other three members, none of whom
31 34 shall be official board members or trustees of an institution
31 35 of higher learning or of an association of institutions of
32 1 higher learning, shall be selected to represent the general
32 2 public.
32 3 Sec. 43. Section 261.25, subsection 1A, as enacted by 2006
32 4 Iowa Acts, House File 2527, if enacted, is amended to read as
32 5 follows:
32 6 1A. There is appropriated from the general fund of the
32 7 state to the commission for each fiscal year the sum of five
32 8 million one hundred sixty-seven thousand three hundred
32 9 fifty-eight dollars for ~~proprietary~~ tuition grants for
32 10 students attending for-profit accredited private institutions
32 11 located in Iowa. A for-profit institution which, effective
32 12 March 9, 2005, purchased an accredited private institution
32 13 that was exempt from taxation under section 501(c) of the
32 14 Internal Revenue Code, shall be an eligible institution under
32 15 the tuition grant program. In the case of a qualified student
32 16 who was enrolled in such accredited private institution that
32 17 was purchased by the for-profit institution effective March 9,
32 18 2005, and who continues to be enrolled in the eligible
32 19 institution in succeeding years, the amount the student
32 20 qualifies for under this subsection shall be not less than the
32 21 amount the student qualified for in the fiscal year beginning
32 22 July 1, 2004. For purposes of the tuition grant program,
32 23 "for-profit accredited private institution" means an
32 24 accredited private institution which is not exempt from
32 25 taxation under section 501(c)(3) but which otherwise meets the
32 26 requirements of section 261.9, subsection 1, paragraph "b",
32 27 and whose students were eligible to receive tuition grants in
32 28 the fiscal year beginning July 1, 2003.
32 29 Sec. 44. Section 280.4, subsection 3, Code 2005, is
32 30 amended to read as follows:
32 31 3. In order to provide funds for the excess costs of
32 32 instruction of limited English proficient students above the
32 33 costs of instruction of pupils in a regular curriculum,
32 34 students identified as limited English proficient shall be
32 35 assigned an additional weighting of twenty=two hundredths, and
33 1 that weighting shall be included in the weighted enrollment of
33 2 the school district of residence for a period not exceeding
33 3 ~~three~~ four years. However, the school budget review committee
33 4 may grant supplemental aid or modified allowable growth to a
33 5 school district to continue funding a program for students
33 6 after the expiration of the ~~three-year~~ four-year period.

33 7 Sec. 45. Section 423B.7, subsection 6, Code 2005, is
33 8 amended to read as follows:

33 9 6. Local sales and services tax moneys received by a city
33 10 or county may be expended for any lawful purpose of the city
33 11 or county.

33 12 a. Notwithstanding the provisions of this subsection,
33 13 sales and services tax moneys received from a tax imposed by a
33 14 county pursuant to this chapter shall not be expended by or
33 15 for the benefit of a school district located in whole or in
33 16 part in the county unless the county is imposing a local
33 17 option sales and services tax for school infrastructure
33 18 purposes pursuant to chapter 423E.

33 19 b. Paragraph "a" of this subsection is repealed December
33 20 31, 2022.

33 21 Sec. 46. Section 423E.4, Code Supplement 2005, is amended
33 22 by adding the following new subsection:
33 23 NEW SUBSECTION. 7. Notwithstanding subsection 2 of this
33 24 section or any other provision to the contrary, a school
33 25 district that is located in whole or in part in a county that
33 26 has not previously imposed the local sales and services tax
33 27 for school infrastructure, and which votes on and approves the
33 28 tax at a rate of one percent on or before July 1, 2008, shall
33 29 receive an amount equal to its pro rata share of the local
33 30 sales and services tax receipts as provided in section 423E.3,
33 31 subsection 5, paragraph "d", for a period corresponding to
33 32 one-half the duration of the tax authorized by the voters.
33 33 For the second half of the duration of the tax authorized by
33 34 the voters, local sales and services tax receipts shall be
33 35 distributed as otherwise applicable pursuant to subsection 2
34 1 of this section.

34 2 Sec. 47. LIMITED ENGLISH PROFICIENT WEIGHTING ADJUSTMENT.
34 3 For the fiscal year beginning July 1, 2006, and ending June
34 4 30, 2007, there shall be allocated to the department of
34 5 education from the amount appropriated pursuant to section
34 6 257.16, subsection 1, based upon the increase from three to
34 7 four years in the availability of supplementary weighting for
34 8 instruction of limited English proficient students pursuant to
34 9 section 280.4, an amount not to exceed three million, three
34 10 hundred thousand dollars. The funds shall be used to adjust
34 11 the weighted enrollment of a school district with students
34 12 identified as limited English proficient on a prorated basis.

34 13 Sec. 48. EQUITY IN PROPERTY TAXATION INTERIM STUDY
34 14 COMMITTEE.

34 15 1. The legislative council is requested to establish an
34 16 equity in property taxation interim study committee to review
34 17 the provisions of chapter 257 and develop one or more
34 18 proposals that will equalize property tax rates applicable
34 19 pursuant to the basic school foundation aid formula. The
34 20 review shall include but not be limited to finance formulas
34 21 that specifically address equalizing property tax rates, and
34 22 shall be authorized for and conducted over a two-year period
34 23 during the 2006 and 2007 legislative interims.

34 24 2. The membership of the committee shall include the
34 25 following:

34 26 a. Two members of the senate standing committee on
34 27 education.

34 28 b. Two members of the house standing committee on
34 29 education.

34 30 c. Two members of the senate standing committee on ways
34 31 and means.

34 32 d. Two members of the house standing committee on ways and
34 33 means.

34 34 e. Persons representing education associations and
34 35 stakeholders, urban and rural property tax interests, and
35 1 other associations, groups, or interested parties as may be
35 2 identified by the council, or added by the chairperson or
35 3 co-chairpersons of the study committee designated by the
35 4 council.

35 5 3. Staffing assistance shall be provided by the department
35 6 of education, with the assistance of the department of
35 7 management and the department of revenue. The committee shall
35 8 report its findings and recommendations, including proposed
35 9 legislation, to the general assembly no later than January 1,
35 10 2008.

35 11 Sec. 49. BOARD OF EDUCATIONAL EXAMINERS == TEACHER
35 12 LIBRARIAN REVIEW. The board of educational examiners shall
35 13 review the impact the enactment of section 256.11, subsection
35 14 9, if enacted, on school districts, media specialists, and
35 15 librarians and shall submit its findings and recommendations
35 16 in a report to the chairpersons and ranking members of the
35 17 senate and house of representatives standing committees on

35 18 education by January 1, 2007.

35 19 Sec. 50. STATEWIDE GRADUATION REQUIREMENTS.

35 20 The department of education shall use funds appropriated
35 21 for graduation requirements under division II of this Act to
35 22 assist school districts with the implementation of graduation
35 23 requirements established pursuant to section 256.7, subsection
35 24 26, as amended by 2006 Iowa Acts, Senate File 2272, if
35 25 enacted. The department shall survey school districts as to
35 26 their readiness for implementation of the requirements. The
35 27 department shall review Iowa law and administrative rules and
35 28 policies to determine if changes are necessary or beneficial
35 29 to implement the graduation requirements. The department
35 30 shall submit its findings and recommendations in a report to
35 31 the chairpersons and ranking members of the senate and house
35 32 of representatives standing education committees and to the
35 33 chairpersons and ranking members of the joint appropriations
35 34 subcommittee on education by January 1, 2007.

35 35 Sec. 51. PARTICIPATION IN AN INSTRUCTIONAL SUPPORT PROGRAM

36 1 BY SCHOOL DISTRICTS == SUSPENSION OF REQUIREMENTS.

36 2 Notwithstanding any contrary provision in chapter 257,
36 3 including sections 257.18 through 257.21, a school district
36 4 that has participated in a board-approved instructional
36 5 support program during the fiscal year beginning July 1, 2005,
36 6 and ending June 30, 2006, may continue to participate in the
36 7 board-approved instructional support program for the fiscal
36 8 year beginning July 1, 2006, and ending June 30, 2007, to the
36 9 extent established by the board's resolution, as if it had
36 10 complied with those sections, if all of the following apply:

36 11 1. The board of directors of the school district has
36 12 adopted or adopts a resolution not later than May 15, 2006, to
36 13 participate in the board-approved instructional support
36 14 program as otherwise provided in section 257.18. If the board
36 15 of directors has adopted a budget which did not account for
36 16 the board-approved instructional support program, the board of
36 17 directors may adjust its budget to account for the
36 18 board-approved instructional support program as approved by
36 19 the department of management.

36 20 2. The secretary of the board of directors does not
36 21 receive a petition as authorized in section 257.18, subsection
36 22 2, within twenty-eight days following the adoption of the
36 23 resolution by the board of directors of the school district to
36 24 participate in the board-approved instructional support
36 25 program as provided in subsection 1, which asks that an
36 26 election be called to approve or disapprove the action of the
36 27 board of directors in adopting the resolution.

36 28 Sec. 52. EFFECTIVE DATE. Section 51 of this division of
36 29 this Act, being deemed of immediate importance, takes effect
36 30 upon enactment.

36 31 Sec. 53. EFFECTIVE DATE. The sections of this Act
36 32 amending section 257.4, subsection 1, relating to the
36 33 calculation of an adjusted additional property tax levy and a
36 34 statewide maximum adjusted additional property tax levy rate,
36 35 enacting section 257.15, subsection 4, relating to allocating
37 1 funds for calculation of the statewide maximum adjusted
37 2 additional property tax levy rate and providing adjusted
37 3 additional property tax levy aid, amending section 257.16,
37 4 subsection 1, relating to conforming changes, amending section
37 5 423B.7, relating to prohibiting expenditure of sales and
37 6 services tax moneys under specified circumstances, allocating
37 7 funds for a limited English proficient weighting adjustment
37 8 for the fiscal year beginning July 1, 2006, and ending June
37 9 30, 2007, and enacting section 423E.4, subsection 7, relating
37 10 to the distribution of local option sales and services tax
37 11 revenue under specified circumstances, take effect upon
37 12 enactment.

37 13 Sec. 54. EFFECTIVE AND APPLICABILITY DATES. The sections
37 14 of this Act amending sections 257.31 and 280.4, being deemed
37 15 of immediate importance, take effect upon enactment and are
37 16 applicable for the school budget year beginning July 1, 2006,
37 17 and succeeding budget years.

37 18 DIVISION IV

37 19 STATE AND LOCAL GOVERNMENT OPERATIONS

37 20 Sec. 55. Section 8A.108, Code 2005, is amended to read as
37 21 follows:

37 22 8A.108 ACCEPTANCE OF FUNDS.

37 23 1. The department may receive and accept donations,
37 24 grants, gifts, and contributions in the form of moneys,
37 25 services, materials, or otherwise, from the United States or
37 26 any of its agencies, from this state or any of its agencies,
37 27 or from any other person, and may use or expend such moneys,
37 28 services, materials, or other contributions, or issue grants,

37 29 in carrying out the operations of the department. All federal
37 30 grants to and the federal receipts of the department are
37 31 hereby appropriated for the purpose set forth in such federal
37 32 grants or receipts. The department shall report annually to
37 33 the general assembly on or before September 1 the donations,
37 34 grants, gifts, and contributions with a monetary value of one
37 35 thousand dollars or more that were received during the most
38 1 recently concluded fiscal year.

38 2 2. a. The department may solicit donations, grants,
38 3 gifts, and contributions in the form of moneys, services,
38 4 materials, real property, or otherwise from any person for
38 5 specific projects and improvements on or near the capitol
38 6 complex. However, no less than twenty days prior to
38 7 commencing any such solicitation, the department shall notify
38 8 the executive council, the department of management, and the
38 9 legislative council of the project for which the solicitation
38 10 is proposed. The department is only required to provide one
38 11 notification for each project for which a solicitation is
38 12 proposed.

38 13 b. The department shall not accept any donation, grant,
38 14 gift, or contribution in any form that includes any condition
38 15 other than a condition to use the donation, grant, gift, or
38 16 contribution for the project for which it was solicited. The
38 17 department shall not confer any benefit upon or establish any
38 18 permanent acknowledgement of the donor of the donation, grant,
38 19 gift, or contribution unless specifically authorized by a
38 20 constitutional majority of each house of the general assembly
38 21 and approved by the governor or unless otherwise specifically
38 22 authorized by law.

38 23 Sec. 56. Section 8A.321, Code Supplement 2005, is amended
38 24 by adding the following new subsection:

38 25 NEW SUBSECTION. 8A. With the approval of the executive
38 26 council pursuant to section 7D.29 or pursuant to other
38 27 authority granted by law, acquire real property to be held by
38 28 the department in the name of the state as follows:

38 29 a. By purchase, lease, option, gift, grant, bequest,
38 30 devise, or otherwise.

38 31 b. By exchange of real property belonging to the state for
38 32 property belonging to another person.

38 33 Sec. 57. Section 68B.7, Code 2005, is amended by adding
38 34 the following new unnumbered paragraph:

38 35 NEW UNNUMBERED PARAGRAPH. Notwithstanding the provisions
39 1 of this section, a person who has served as the workers'
39 2 compensation commissioner, or any deputy thereof, may
39 3 represent a claimant in a contested case before the division
39 4 of workers' compensation at any point subsequent to
39 5 termination of such service, regardless of whether the person
39 6 charges a contingent fee for such representation, provided
39 7 such case was not pending before the division during the
39 8 person's tenure as commissioner or deputy.

39 9 Sec. 58. Section 100B.13, Code Supplement 2005, is amended
39 10 to read as follows:

39 11 100B.13 VOLUNTEER FIRE FIGHTER PREPAREDNESS FUND.

39 12 1. A volunteer fire fighter preparedness fund is created
39 13 as a separate and distinct fund in the state treasury under
39 14 the control of the division of state fire marshal of the
39 15 department of public safety.

39 16 2. Revenue for the volunteer fire fighter preparedness
39 17 fund shall include, but is not limited to, the following:

39 18 a. Moneys credited to the fund pursuant to section
39 19 422.12F.

39 20 b. Moneys credited to the fund pursuant to section
39 21 422.12G.

39 22 ~~b.~~ c. Moneys in the form of a devise, gift, bequest,
39 23 donation, or federal or other grant intended to be used for
39 24 the purposes of the fund.

39 25 3. Moneys in the volunteer fire fighter preparedness fund
39 26 are not subject to section 8.33. Notwithstanding section
39 27 12C.7, subsection 2, interest or earnings on moneys in the
39 28 fund shall be credited to the fund.

39 29 4. Moneys in the volunteer fire fighter preparedness fund
39 30 are appropriated to the division of state fire marshal of the
39 31 department of public safety to be used annually to pay the
39 32 costs of providing volunteer fire fighter training around the
39 33 state and to pay the costs of providing volunteer fire
39 34 fighting equipment.

39 35 Sec. 59. Section 232.116, subsection 1, Code 2005, is
40 1 amended by adding the following new paragraph:

40 2 NEW PARAGRAPH. o. The parent has been convicted of a
40 3 felony offense that is a criminal offense against a minor as
40 4 defined in section 692A.1, the parent is divorced from or was

40 5 never married to the minor's other parent, and the parent is
40 6 serving a minimum sentence of confinement of at least five
40 7 years for that offense.
40 8 Sec. 60. Section 314.28, Code 2005, is amended to read as
40 9 follows:
40 10 314.28 KEEP IOWA BEAUTIFUL FUND.
40 11 A keep Iowa beautiful fund is created in the office of the
40 12 treasurer of state. The fund is composed of moneys
40 13 appropriated or available to and obtained or accepted by the
40 14 treasurer of state for deposit in the fund. The fund shall
40 15 include moneys transferred to the fund as provided in section
40 16 422.12A. The fund shall also include moneys transferred to
40 17 the fund as provided in section 422.12G. All interest earned
40 18 on moneys in the fund shall be credited to and remain in the
40 19 fund. Section 8.33 does not apply to moneys in the fund.
40 20 Moneys in the fund that are authorized by the department
40 21 for expenditure are appropriated, and shall be used, to
40 22 educate and encourage Iowans to take greater responsibility
40 23 for improving their community environment and enhancing the
40 24 beauty of the state through litter prevention, improving waste
40 25 management and recycling efforts, and beautification projects.
40 26 The department may authorize payment of moneys from the
40 27 fund upon approval of an application from a private or public
40 28 organization. The applicant shall submit a plan for litter
40 29 prevention, improving waste management and recycling efforts,
40 30 or a beautification project along with its application. The
40 31 department shall establish standards relating to the type of
40 32 projects available for assistance.
40 33 Sec. 61. NEW SECTION. 422.12G JOINT INCOME TAX REFUND
40 34 CHECKOFF FOR KEEP IOWA BEAUTIFUL FUND AND VOLUNTEER FIRE
40 35 FIGHTER PREPAREDNESS FUND.
41 1 1. A person who files an individual or a joint income tax
41 2 return with the department of revenue under section 422.13 may
41 3 designate one dollar or more to be paid jointly to the keep
41 4 Iowa beautiful fund created in section 314.28 and to the
41 5 volunteer fire fighter preparedness fund created in section
41 6 100B.13. If the refund due on the return or the payment
41 7 remitted with the return is insufficient to pay the additional
41 8 amount designated by the taxpayer, the amount designated shall
41 9 be reduced to the remaining amount of refund or the remaining
41 10 amount remitted with the return. The designation of a
41 11 contribution under this section is irrevocable.
41 12 2. The director of revenue shall draft the income tax form
41 13 to allow the designation of contributions to the keep Iowa
41 14 beautiful fund and to the volunteer fire fighter preparedness
41 15 fund as one checkoff on the tax return. The department of
41 16 revenue, on or before January 31, shall transfer one-half of
41 17 the total amount designated on the tax return forms due in the
41 18 preceding calendar year to the keep Iowa beautiful fund and
41 19 the remaining one-half to the volunteer fire fighter
41 20 preparedness fund. However, before a checkoff pursuant to
41 21 this section shall be permitted, all liabilities on the books
41 22 of the department of administrative services and accounts
41 23 identified as owing under section 8A.504 and the political
41 24 contribution allowed under section 68A.601 shall be satisfied.
41 25 3. The department of revenue shall adopt rules to
41 26 administer this section.
41 27 4. This section is subject to repeal under section
41 28 422.12E.
41 29 Sec. 62. Section 427.1, subsection 21A, Code Supplement
41 30 2005, as amended by 2006 Iowa Acts, House File 2797, section
41 31 84, if enacted, is amended to read as follows:
41 32 21A. DWELLING UNIT PROPERTY OWNED BY COMMUNITY HOUSING
41 33 DEVELOPMENT ORGANIZATION. Dwelling unit property owned and
41 34 managed by a community housing development organization, as
41 35 recognized by the state of Iowa and the federal government
42 1 pursuant to criteria for community housing development
42 2 organization designation contained in the HOME program of the
42 3 federal National Affordable Housing Act of 1990, if the
42 4 organization is also a nonprofit organization exempt from
42 5 federal income tax under section 501(c)(3) of the Internal
42 6 Revenue Code and owns and manages more than one hundred and
42 7 fifty dwelling units that are located in a city with a
42 8 population of more than one hundred ten thousand. For the
42 9 2005 and 2006 assessment years, an application is not required
42 10 to be filed to receive the exemption. For the 2007 and
42 11 subsequent assessment years, an application for exemption must
42 12 be filed with the assessing authority not later than February
42 13 1 of the assessment year for which the exemption is sought.
42 14 Upon the filing and allowance of the claim, the claim shall be
42 15 allowed on the property for successive years without further

42 16 filing as long as the property continues to qualify for the
42 17 exemption.

42 18 Sec. 63. Section 600A.8, Code Supplement 2005, is amended
42 19 by adding the following new subsection:

42 20 NEW SUBSECTION. 10. The parent has been convicted of a
42 21 felony offense that is a criminal offense against a minor as
42 22 defined in section 692A.1, the parent is divorced from or was
42 23 never married to the minor's other parent, and the parent is
42 24 serving a minimum sentence of confinement of at least five
42 25 years for that offense.

42 26 Sec. 64. Section 602.8108, subsection 8B, if enacted by
42 27 2006 Iowa Acts, House File 2789, section 8, is amended to read
42 28 as follows:

42 29 8B. The state court administrator shall allocate to the
42 30 office of attorney general for the fiscal year beginning July
42 31 1, 2006, and for each fiscal year thereafter, ~~three~~ four
42 32 hundred fifty thousand dollars of the moneys received annually
42 33 under subsection 2, to be used for legal services for persons
42 34 in poverty grants as provided in section 13.34.

42 35 Sec. 65. 2006 Iowa Acts, House File 2797, section 43,
43 1 subsection 1, paragraph a, if enacted, is amended by adding
43 2 the following new subparagraphs:

43 3 NEW SUBPARAGRAPH. (11) Sierra club = Iowa chapter.

43 4 NEW SUBPARAGRAPH. (12) Izaak Walton league of Iowa.

43 5 NEW SUBPARAGRAPH. (13) State conservation districts.

43 6 Sec. 66. 2006 Iowa Acts, House File 2794, section 58, if
43 7 enacted, is repealed.

43 8 Sec. 67. RETROACTIVE APPLICABILITY. The section of this
43 9 Act enacting section 422.12G applies retroactively to tax
43 10 years beginning on or after January 1, 2006.

43 11 DIVISION V
43 12 MISCELLANEOUS PROVISIONS

43 13 Sec. 68. Section 8F.2, subsection 8, paragraph b,
43 14 subparagraph (3), if enacted by 2006 Iowa Acts, Senate File
43 15 2410, is amended to read as follows:

43 16 (3) A contract for services provided for the operation,
43 17 construction, or maintenance of a public or city utility,
43 18 combined public or city utility, or a city enterprise as
43 19 defined by section 384.24.

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43 23 _____
43 24 CHRISTOPHER C. RANTS
43 25 Speaker of the House

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